

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner objects to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description. Specifically, the Examiner argues that reference numeral 32' appearing in Figure 12 is not mentioned in the description. In response, Applicants respectfully submit that reference numeral 32' is mentioned in the paragraph beginning at page 31, line 25 (titled "Fifth Embodiment") and more specifically at the first line of page 32. The description at page 7, lines 23-26 clearly indicates that Figure 12 is directed to the Fifth Embodiment. Accordingly, it is respectfully requested that the objection to the drawings under 37 C.F.R. § 1.84(p)(5) be withdrawn.

In the Official Action, the Examiner objects to claims 4-6, 10, 18 and 19 because of the following informalities. With regard to claims 4-6, the Examiner objects to the phrase "original multimedia object data" and suggests that the same be changed to "--multimedia object data--". In response, claims 4-6 have been amended as suggested by the Examiner. With regard to claim 10, the Examiner argues that it is unclear whether the parenthetical information recited therein is claimed subject matter. In response, claim 10 has been amended to positively recite what was previously parenthetical. With regard to claims 18 and 19, the Examiner argues that the phrases "set an input multimedia object data in and to the" and "multimedia object data one of set in and input to the" make poor sentence structure. In response, although Applicants feel that the objectionable phrases are proper, in the interests of advancing prosecution, claims 18 and 19 have been amended.

Accordingly, it is respectfully requested that the objection to claims 4-6, 10, 18 and 19 be withdrawn.

In the Official Action, the Examiner rejects claims 1-6, 9, 10, 13-15 and 17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,751,286 to Barber et al., (hereinafter "Barber"). Additionally, the Examiner rejects claims 7, 8, 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Barber in view of U.S. Patent No. 5,930,783 to Li et al., (hereinafter "Li"). Furthermore, the Examiner rejects claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Barber in view of U.S. Patent No. 6,748,398 to Zhang et al., (hereinafter "Zhang"). Lastly, the Examiner rejects claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Barber in view of U.S. Patent No. 6,363,376 to Wiens et al., (hereinafter "Wiens").

In response, independent claims 1, 18 and 19 have been amended to clarify their distinguishing features. In particular, claim 1 has been amended to recite displaying a retrieval condition setting area for setting a plurality of retrieval conditions as an independent area wherein the retrieval condition setting area is arranged in a matrix form in which each row and each column are respectively assigned to one independent retrieval condition. Claims 18 and 19 have been similarly amended. The amendment to independent claims 1, 18 and 19 are fully supported in the original disclosure, particularly at Figures 6 and 8 of the Drawings and the accompanying portions of the specification. Thus, no new matter has been introduced into the disclosure by way of the present amendment to independent claims 1, 18 and 19.

Applicants respectfully submit that none of the cited references, either alone or in combination, disclose or suggest a retrieval condition setting area arranged in a matrix form in which each row and column are respectively assigned to one independent retrieval condition. Such a feature allows a user to easily understand the meaning of each of the retrieval conditions at once due to the matrix arrangement.

With regard to the rejection of claims 1-6, 9, 10, 13-15 and 17 under 35 U.S.C. § 102(b), a method for setting a retrieval condition when retrieving similar multimedia object data from a multimedia object database having the features discussed above and as recited in independent claim 1 is nowhere disclosed in Barber. Since it has been decided that "anticipation requires the presence in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim,"<sup>1</sup> independent claim 1 is not anticipated by Barber. Accordingly, independent claim 1 patentably distinguishes over Barber and is allowable. Claims 2-6, 9, 10, 13-15 and 17 being dependent upon claim 1 are thus at least allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-6, 9, 10, 13-15 and 17 under 35 U.S.C. § 102(b).

With regard to the rejection of claims 7, 8, 11, 12 and 16 under 35 U.S.C. § 103(a), since independent claim 1 patentably distinguishes over the prior art and is allowable, claims 7, 8, 11, 12 and 16 are at least allowable therewith because they depend from an allowable base claim.

With regard to the rejection of claims 18 and 19 under 35 U.S.C. § 103(a), independent claims 18 and 19 are not rendered obvious by the cited references because neither the Barber patent nor the Li patent, whether taken alone or in combination, teach or

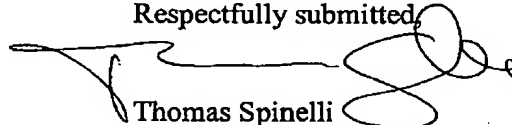
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<sup>1</sup> Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).

suggest an apparatus for setting a retrieval condition when retrieving similar multimedia object data from various multimedia object databases having the features discussed above. Accordingly, claims 18 and 19 patentably distinguish over the prior art and are allowable. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 18 and 19 under 35 U.S.C. § 103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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